

# COMMUNITY DEVELOPMENT RESOURCE AGENCY PLANNING SERVICES DIVISION

County of Placer

**HEARING DATE:** May 27, 2021

ITEM NO.: 2

**TIME:** 10:15 AM

**TO:** Placer County Planning Commission

**FROM:** Development Review Committee

**DATE:** April 29, 2021

SUBJECT: PALFREYMAN – RIDGEWOOD HIGHLANDS NO. 3 SUBDIVISION (LOT 165)

**SUBDIVISION MAP MODIFICATION (PROJECT PLN21-00072)** 

**CATEGORICAL EXEMPTION** 

**SUPERVISORIAL DISTRICT 5 (GUSTAFSON)** 

**COMMUNITY PLAN AREA:** Placer County Tahoe Basin Area Plan

GENERAL / COMMUNITY PLAN DESIGNATION: Cedar Flat Subdistrict, Residential

**ZONING:** Cedar Flat Subdistrict, Residential

ASSESSOR PARCEL NUMBER: 091-182-003-000

**STAFF PLANNER:** Stacy Wydra, Senior Planner

**LOCATION:** 4420 North Ridge Drive, Carnelian Bay in the Tahoe area

APPLICANT: Ron Driller on behalf of Bently and Beverly Palfreyman, owners

#### **PROPOSAL**

The applicant requests the approval of a Subdivision Map Modification in the Ridgewood Highlands Subdivision No. 3 (Lot 165) to allow for a 16-foot to property line front setback where there is a required 25-foot to property line mapped front setback (North Ridge Drive) to construct an 1,588 square foot garage and 484 square foot residential accessory structure/guest house and 132 square foot deck above (approximately 185 square feet of the garage, 53 square feet of the living space and the 132 square foot deck would encroach into the 25-foot mapped setback) at the property located at 4420 North Ridge Drive in the Carnelian Bay area.

# **CEQA COMPLIANCE**

The project is Categorically Exempt pursuant to Sections 15303 and 15305 of the California Environmental Quality Act Guidelines and Sections 18.36.050 and 18.36.070 of the Placer County Environmental Review Ordinance (Class 3 – New construction or conversion of small structures; Class 5 – Minor Alterations in Land Use Limitations). The Planning Commission will be required to make a finding to this effect.

# **PUBLIC NOTICES AND REFERRAL FOR COMMENTS**

Public notices were mailed to property owners of record within 300 feet of the project site. Other appropriate agencies, public interest groups, and citizens were sent copies of the public hearing notice. Community Development Resource Agency staff and the Engineering and Surveying Division, Department of Public Works, Environmental Health Services and the Fire Department were transmitted copies of the project plans and application for review and comment.

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## SITE CHARACTERISTICS / BACKGROUND

The Palfreyman property, Lot 165, comprises 14,134 square feet (0.324 acres) and is located on the corner of North Ridge Drive and Lilly Lane in the Cedar Flat neighborhood in the Tahoe Basin. The parcel consists of a gentle cross-slope from the northwest corner, sloping down towards the southeast corner of the lot with an average 9.7% slope. The Ridgewood Highlands Subdivision No. 3 where the subject lot (Lot 165) is located was created in March of 1960. The site contains several small to medium pine, and fir trees and shrubs scattered throughout the site. The parcel consists of a corner lot and fronts both North Ridge Drive and Lily Lane. A frontage width of 98.01 feet along North Ridge Drive, a width of 87.99 feet along the frontage of Lily Lane and a corner length of 69.64 feet. The eastern side property line, shared with the adjoining Lot 164 and opposite North Ridge Drive contains a length of 97.31 feet and the northern side property line, shared with Lot 166, opposite Lily Lane consists of a length of 105.25.

There is a 25-foot front building setback line identified on the recorded Ridgewood Highlands Subdivision No. 3 map. Additionally, the setbacks described in the Tahoe Basin Area Plan for the zone district require a minimum distance of 20-foot from the front property line of Lily Lane, 10-foot from the front property line of the street side of North Ridge Drive, and a 15-foot combined total (5-foot minimum) from the interior side property lines. The property is currently developed with a 1,122 square-foot, two-story, single-family dwelling, a 298 square foot deck built in 1983, and parking area. Parking is located on two parking pads, one paved parking space off of Lily Lane and the other, a dirt parking space, off North Ridge Dive. The existing parking space off of Lily Lane straddles the property line resulting in a portion of the parking space located in the right-of-way of Lily Lane. The other single-dirt parking space is located off of North Ridge Drive and is located entirely on the subject parcel. The parking is currently non-conforming in that the project site does not provide for two, on-site parking spaces completely located on the subject property. The project site is surrounded by similar lot sizes with single-family residences, few of which properties were granted both map modifications and variances for construction of residential additions and/or improvements within the mapped front setback area. The existing residence is constructed outside of the required setbacks and is positioned centrally within the parcel. Specifically, the existing residence is located 43-feet, 2-inches from the North Ridge Drive property line and is approximately 39-feet, 6-inches from the Lily Lane property line. Additionally, the residence is situated 18-feet, 2-inches from the 25-foot mapped building setback line along North Ridge Drive and is 14-feet, 6-inches from the 25-foot mapped building setback line along Lily Lane The existing parking, density, use, height, and coverage are compliant with current development standards for the parcel.

### **EXISTING LAND USE AND ZONING**

Location	Zoning	Tahoe Basin Area Plan	Existing Conditions and Improvements
Site	Cedar Flat Subdistrict	Residential	Single-Family Residence
North	Cedar Flat Subdistrict	Residential	Single-Family Residence
South	Cedar Flat Subdistrict	Residential	Single-Family Residence
East	Cedar Flat Subdistrict	Residential	Single-Family Residence
West	Cedar Flat Subdistrict	Residential	Single-Family Residence

# **PROJECT DESCRIPTION**

The applicant has proposed a modification to the Ridgewood Highlands No. 3 Subdivision, Lot 165 Final Map which would allow for the map to be modified to allow a setback of 16 feet, measured from the front property line, in order to construct a 616 square foot garage, 260 square foot covered entryway, and 484 square foot residential accessory structure/guest house above with a 132 square foot exterior deck. Approximately 185 square feet of the garage, 53 square feet of the living space above, and 132 square feet of the exterior deck (above the garage), is proposed within the mapped front setback and is included in this map modification request.

# **DISCUSSION OF ISSUES**

# Subdivision Modification

The property is located on a corner lot at the intersection of North Ridge Drive and Lily Lane in the Ridgewood Highlands No. 3 Subdivision. The parcel consists of the 1,122 square foot single-story

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residence built in 1983. The existing house is located in the middle of the lot resulting in two possible locations of a garage on this property: the southeast corner of the property with access off Lily Lane, or the northwest corner of the property with access off North Ridge Drive; both of which would result in a map modification to the required setbacks. The garage off of North Ridge Drive would also result in the least number of modifications to the existing residence in that, a door will replace an existing window in the back bedroom. The back bedroom will then be converted into a mudroom/access point into the existing residence. The guest house above the garage is proposed anticipating the future need for an inhome health care provider.

As previously mentioned, the parking for the existing single-family residence is legal non-conforming to the number and location of required on-site parking spaces. With this proposal, the two parking pads would be replaced and consolidated into a single encroachment off of North Ridge Drive, providing two on-site parking spaces. With the approval of the proposed two-vehicle garage, the residential parcel would be in compliance with the required on-site parking.

The garage location off North Ridge Drive is the most superior and advantageous in that the design results in a level driveway with a covered access to the existing residence and less disturbance to the site and the least amount of tree removal. Further, due to the health conditions of the owner, reducing and/or eliminating the need for stairs in the design is vital to the owner remaining in her home.

The size of the garage (22 feet wide by 28 feet long) took into consideration the size of the owners existing vehicle and the ability to park the 22-foot-long truck inside the garage. This length requires a slightly deeper garage and would provide space to walk around the truck once parked inside the garage. While maintaining the required side yard setback, the applicant took into consideration the width of the garage and reduced it in size to provide as much distance between the proposed garage and the neighbor's garage (Lot 166) to the north while also considering the relationship to the existing residence.

In the application submittal, the property owners have demonstrated that they have explored other alternatives to locate the proposed garage and residential accessory structure/guest house outside of the required setbacks. Other alternatives were considered and would have resulted in the removal of several trees, increased area of disturbance and grading and the addition of stairs providing access to the existing residence precluding the owner access due to existing health conditions. Due to the location of the existing residence and topography of the site and locations of existing trees and access from the garage to the existing residence, there are limited logical locations for a new garage and living space located above. While reviewing this proposal as it relates to other development in the area, staff does not find that the applicant's proposal would be contrary to the development in the vicinity, nor would it change the characteristics of the neighborhood or subdivision. Additionally, homes constructed in this area at the time were primarily used as a second home/vacation home, when the majority of visitation would have been during the summer months at which time covered parking was not a consideration.

# General Plan and Zoning Consistency

The project site is designated Residential which anticipates residential development, where low-density residential uses are permitted in the Placer County General Plan. The Tahoe Basin Area Plan also allows single-family residences and accessory structures such as garages, decks and guest houses in this land use designation. The proposed addition is also consistent with Placer County General Plan policies that state "The County shall require residential project design to reflect and consider natural features, noise exposure of residents, visibility of structures, circulation, access, and the relationship of the project to surrounding uses."

The purpose and intent of the Cedar Flat Residential Subdistrict is to provide the continuation of residential development characterized by single-family dwellings and accessory structures. The proposed project consists of a garage, covered entryway and guest house with an exterior deck to be accessory to the existing single-family residence. The proposal complies with the development standards for the Cedar Flat Residential Subdistrict, including but not limited to, setbacks (with the exception of the

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front setback modification requested), height, coverage, density, and on-site parking. Specifically, two on-site parking spaces are required for the existing single-family residence. The garage will also provide the two required on-site parking spaces where they do not otherwise exist entirely on the subject parcel. If this proposal were to be approved, the project site would comply with the required parking standard where it currently is out of compliance.

### RECOMMENDATION

Based on the analysis described above, the Development Review Committee recommends that the Planning Commission takes the following actions:

- 1. The Planning Commission finds that the project is Categorically Exempt from review under C EQA pursuant to provisions of Sections 15303 and 15305 of the California Environmental Quality Act (CEQA) Guidelines and Sections 18.36.050 and 18.36.070 of the Placer County Environmental Review Ordinance (Class 3 New Construction or Conversion of Small Structures; Class 5 Minor Alterations in Land Use Limitations) because the exemption consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density, and is for construction of a residential accessory structure (garage and guest house). The subject parcel is located in an existing residential area with a residential use currently onsite. As such, these exemptions apply to the proposed project in that the modification to the parcel would in fact be a minor alteration to this property and its improvements; and would be construction of a small accessory structure, a garage, covered entryway, guest house and exterior deck.
- 2. Approve the Subdivision Map Modification in the Ridgewood Highlands No. 3 Subdivision (Lot 165) to allow for a 16-foot front setback where there is a required 25-foot mapped setback (North Ridge Drive), in order to construct a garage, covered entry, guest house and exterior deck, supported by the following findings and subject to the conditions hereto attached (Attachment D):
  - A. The proposed Subdivision Modification does not significantly alter the design of the subdivision and will not affect the consistency of the Ridgewood Highlands No. 3 Subdivision Map in that the setback encroachment is a relatively minor encroachment into the setback, the encroachment continues to maintain a distance of 24 feet from the face of the garage to the edge of traveled way, which ensures that vehicles will not protrude into the right-of-way of North Ridge Drive, and there is still sufficient area on the parcel for snow storage. Further, the existing conditions of vehicles parked in the right-of-way along Lily Lane will be removed and discontinued as a result of this improvement. Additionally, other parcels within close proximity of the subject parcel have been granted reduced setbacks for the construction of residential additions within the recorded, mapped setback; and
  - B. Pursuant to Section 66472.1, (Amending of Final Maps) of the Subdivision Map Act, Placer County finds that there are changes in circumstances that make the front setback as applied by the conditions of the map no longer appropriate or necessary. The modifications do not impose any additional burden on the fee owners of the real property, and the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and Placer County finds that the map as modified conforms to Section 66474 of the Subdivision Map Act. The change in circumstances, in this case, are based on the existing location of the residence and access into the residence, and that the residence was built without consideration to covered parking for use during winter months. Therefore, there was not enough space allocated between the residence and the setback to build a covered parking area; and
  - C. The project, with the recommended conditions, is compatible with the single-family residential neighborhood; in that the structure is designed with similar materials and colors to compliment the existing residence, and the residential accessory structure is similar in size and use of those that existing within the subdivision; and
  - D. The project is physically suitable for the type of existing development within the Ridgewood Highlands Subdivision No. 3 in the Tahoe Basin area. The proposed project is the addition of a

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- garage, covered entryway, residential accessory structure/guest house and exterior deck to be accessory to the existing single-family residence. The project does not exceed the allowed density of one single-family dwelling per parcel of the Cedar Flat Residential Subdistrict zoning, in that the residential accessory structure/guest house does not contain a kitchen and will not be rented out as an individual residential unit; and
- E. The granting of the Subdivision Modification will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zoning district in which the property is located in that other residential additions and accessory structures have been approved on parcels within close proximity to the subject parcel. It can be demonstrated through previous reduced setback approvals, the distances to be maintained from the front of the garage to the edge of the existing traveled way, that granting the Subdivision Modification will not be materially detrimental to the neighborhood and surrounding properties or to snow removal operations or public utilities.

Respectfully submitted,

Stacy Wydra Senior Planner

# **ATTACHMENTS**

Attachment A – Vicinity Map and Zoning Map

Attachment B – Subdivision Map

Attachment C – Plot Plan, Floor Plan, and Elevations

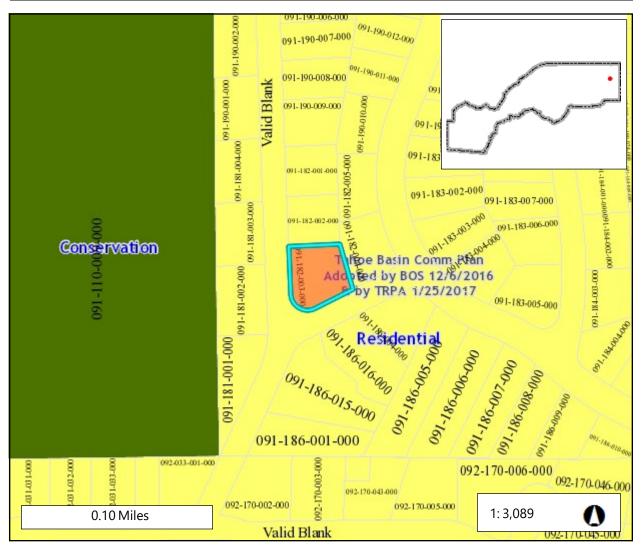
Attachment D – Recommended Conditions of Approval

cc: Steve Pedretti – CDRA Director
EJ Ivaldi – Planning Director
Clayton Cook – County Counsel
Michelle Darling – Environmental Engineering
Angel Green – CDRA / Air Quality
Stephanie Holloway – Public Works
Joey Scarbrough – Environmental Health
Rebecca Taber – Engineering and Surveying Division
Steve McNamara – North Tahoe Fire Protection District
North Tahoe MAC

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# **Vicinity and Zoning Map**



# of Cerrection Feb 19,1997 97-042454 of Correction Certificate Certificate

# MARCH 1960 RIDGEWOOD HIGHLANDS NO. 3 A PORTION OF THE EAST 1/2 OF SECTION 21 PLACER COUNTY CALIFORNIA T.16 N. R.17 E. M.D.M. J.N. ANDREGG L.S. 2515

The undersigned, being the only porty hoving any record little interest in the fereon subdivided load, hereby consent to the preporation and recordation of this plat of R. 1006 WOOD HIGHLANDS NUS consisting of three (3) sheets, and dees declare that this map and subdivision does not dedicate only portion of this record for she way our post only portion of this record for she way and of Ridge Drive, Littly Lora, Walfalii Drive, Snow Flower Road, pring Wood Road or private reads and were so designated upon the map with the title of soil roads reserved to the undersigned, its assigns and successors to be held until such time as the County of Place may permit require, or equests that said roads be dedicated to the County, of the which time the undersigned or the successors in interest shall so

dedicale the same.

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PLACER COUNTY TITLE COMPANY BY ROBERT E. SHIELDS, PRESIDENT

Accepted for record and filed in the office of the Recorder of Placer County, State of Cuitannia of the request of Placer County Title Company of Limitytes post 4 Cloud on the Hilling of April 1960, and recorded in Book 6 of those of Page 14

Fee # 98

No. 5093

Counting to County Reposed or COUNTY STATE OF CALIFORNIA

I, J. E. Little, Surveyor of Placer County, State of California, do heeby certify hob! I have examined this final map and had the substitution is substantially the same as it ago eared on the ferbaive map and hob! all provisions of the Sub-aivision way. Prictle 1. Paragraph 11693 and ical another explicable of the time of approval of the food ordinaries been complished with and that I am satisfied that said map have been complished vitte and that I am satisfied that said map is ferbically correct.

DATE April 8 1960

COUNTY SURVEYOR -

State of California ss County of Placer

The Board of Supervisors of the County of Placer, State of California and on the Little of April. 1860 approve this map consisting of three (3) sheets and entitled RioGEWOOD (HIGHLANDS NO.3 and occupated it on behalf of the people as a proper instrument of record.

CHAIRMAN BOARD OF SUPERVISORS

CLERK-BOARD OF SUPERVISORS

State of Californie) so County of Placer County, State of California on this Bradu of April 1960 dia approve this map consisting of three (3) streets and entitled 2:000 wood HIGHLANDS NO.3

CHAIRWANDE THE PLANNING COMMISSION SECARJARY & THE PLANNING COMMISSION

J. J.N. Andregg, do hereby certify that I am a licensed Land Surveyor of the State of Colifornia vinet half his map correctly represents a survey made by me or under my direction in September 1889 All manuments shown herean actually exist in their correct positions and are sufficient in number to enable the survey to be refraced and one of the thanacter indicated.

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County of Places.

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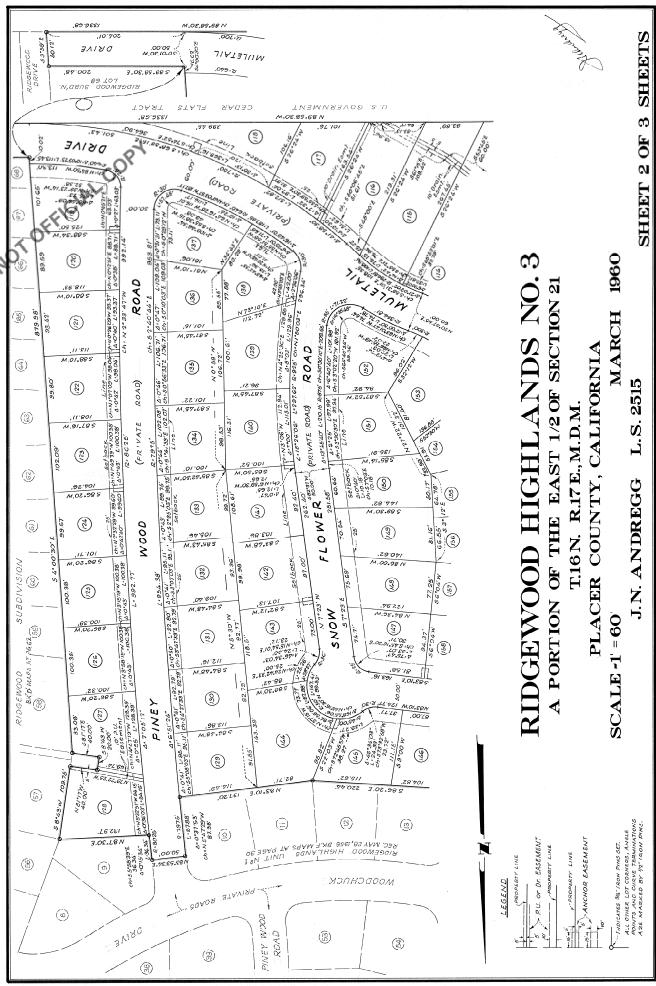
in witness whereof I have hereunto set my hand and offixed my official seal the day and year in the certificate first above written.

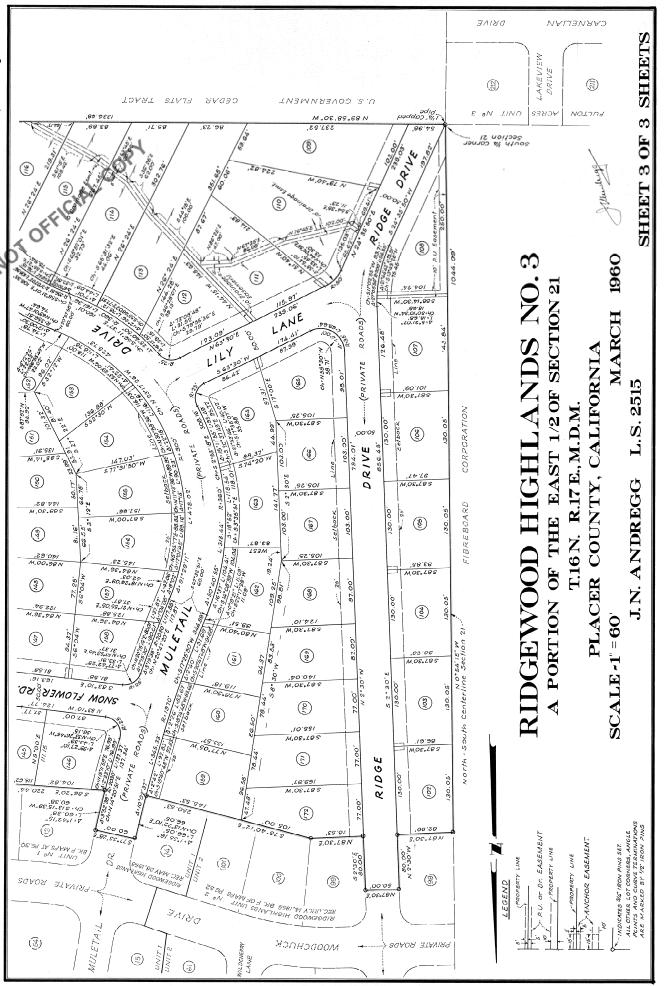
NOTARY PUBLIC IN AND FOR THE COUNTY OF PLACER STATE OF CALIFORNIA

My Commission Expires Grand 16,1963.

I, W.D. R. Stephens, do hereby certify that there are no Lians for unpoid State, County, an indext lower as a psecial assessments against the laster, clauded in the within subdivision assessments in the within subdivision except the fact faces not yet due or payable. I estimate the latter not to exceed. \$378.30

AUDITOR, CODNITY OF PLACER STATE OF CALIFORNIA SHEET 1 OF 3 SHEETS







FILTER CLOTH (MIRAFI 140)
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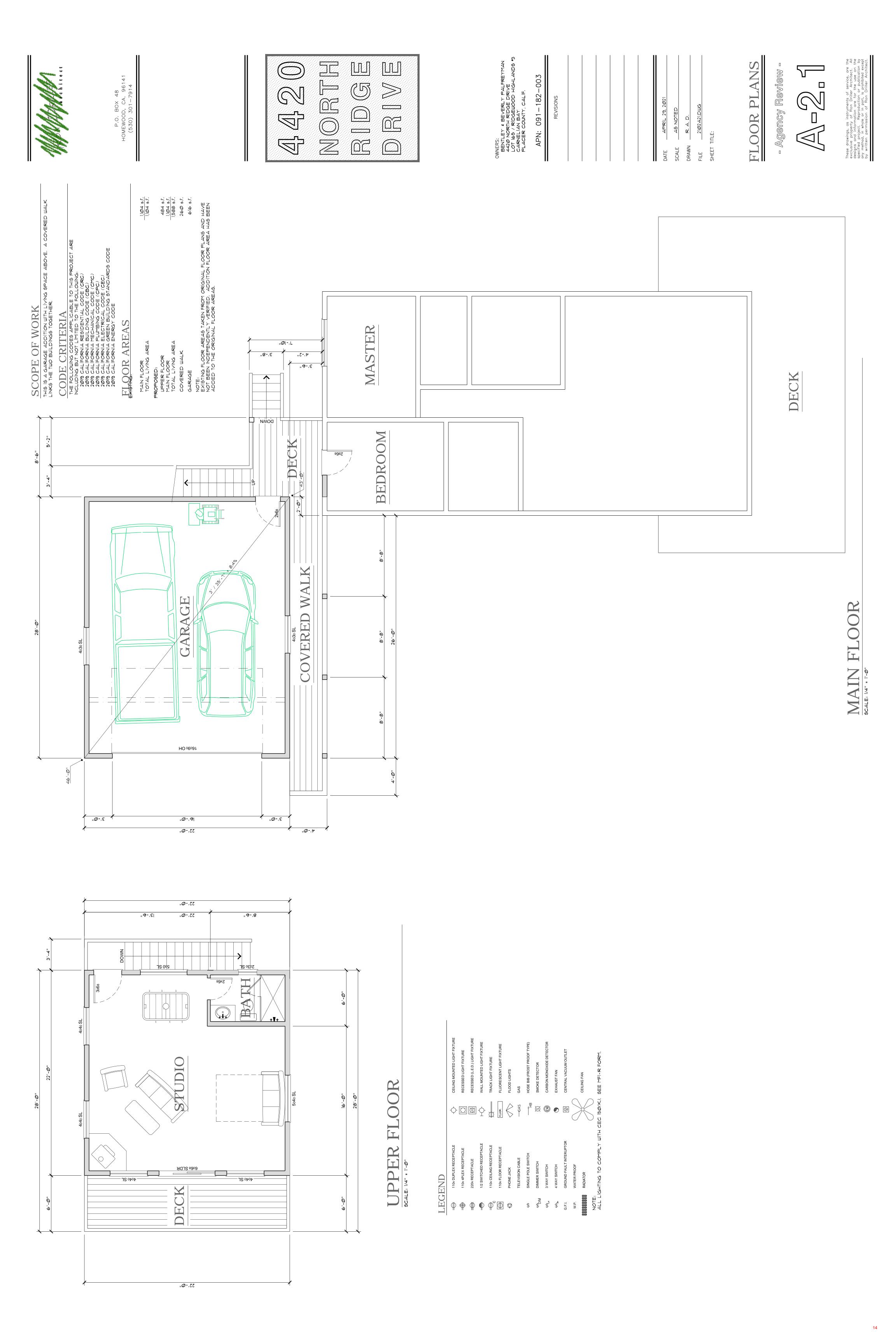
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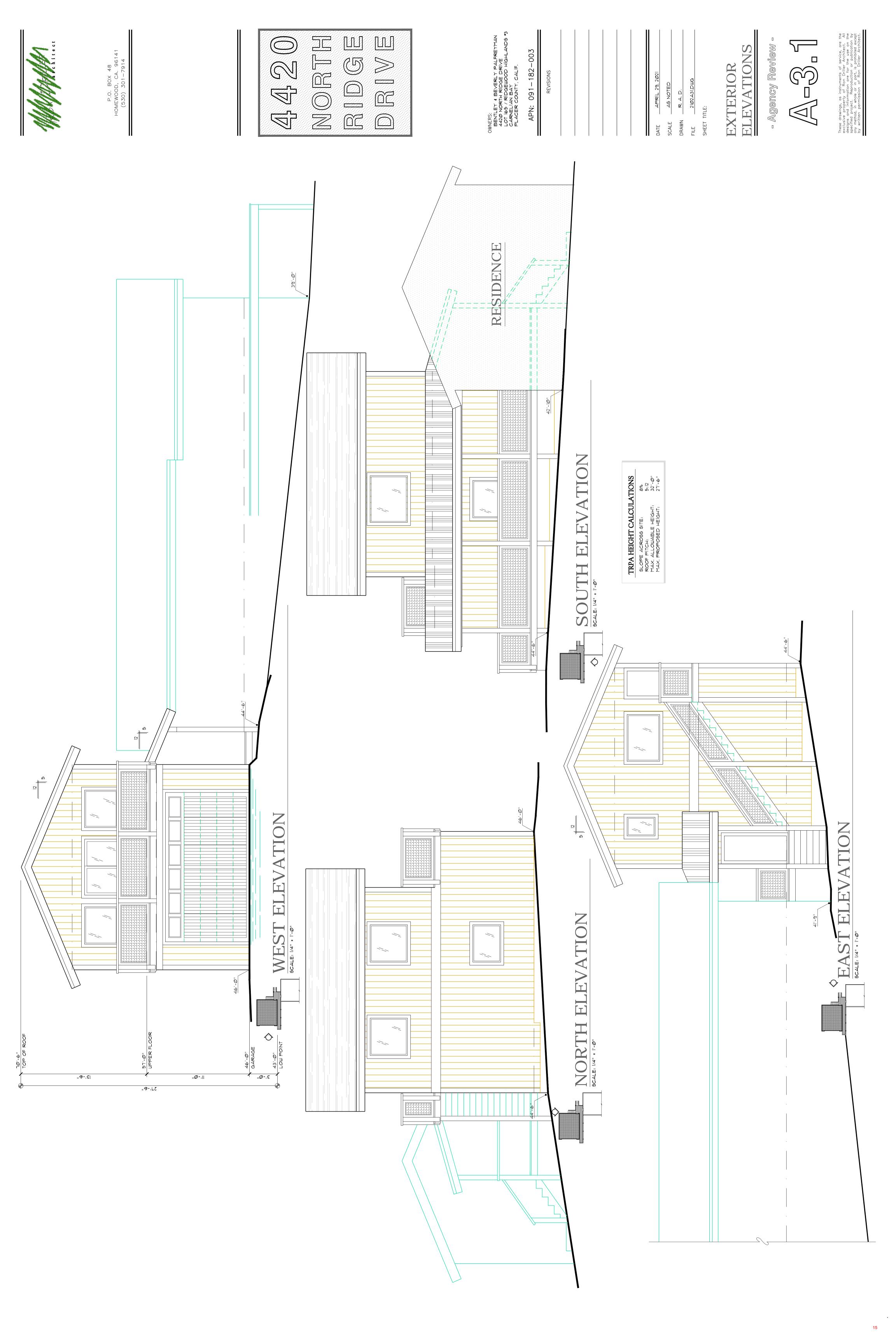
TREE PROTECTION

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# COMMUNITY DEVELOPMENT RESOURCE AGENCY PLANNING SERVICES DIVISION

County of Placer

# RECOMMENDED CONDITIONS OF APPROVAL PALFREYMAN (4420 NORTH RIDGE DRIVE – LOT 165) (PLN21-00072) SUBDIVISION MODIFICATION

ASSESSOR PARCEL NUMBER: 091-182-003-000

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

- 1. This Subdivision Modification approves an amendment to the Ridgewood Highlands No. 3 Subdivision (Lot 165) to allow for a 16-foot to property line front setback where there is a required 25-foot to property line mapped front setback (North Ridge Road) in order to construct an 1,588 square foot garage and 484 square foot residential accessory structure/guest house and 132 square foot deck above (approximately 185 square feet of the garage, 53 square feet of the living space and the 132 square foot deck would encroach into the 25-foot mapped setback) at the property located at 4420 North Ridge Drive in the Carnelian Bay area.
- 2. Prior to Building Permit final, the applicant shall prepare and submit to the Planning Services Division an exhibit map for a Notice of Map Modification to modify the building setback line for Lot 165, as shown on Ridgewood Highlands No. 3 Subdivision (Book F, Page 74), and to conform with the approval of this application. **(PLN)**

# **GRADING**

3. Prior to commencement of any work on site, the applicant shall obtain a grading permit for the grading of the site and/or building permit(s) to include both grading and construction of the building. Complete building plans and engineering in accordance with the County Building Code will be required for the structure. (PLN)

# **PUBLIC SERVICES**

- 4. Prior to Building Permit issuance, dedicate to Placer County a 20' wide snow storage easement along the property frontage on North Ridge Drive and Lily Lane. The County Surveyor will prepare the legal description of the Snow Storage Easement, and the document can be obtained by contacting the ESD. The easement document shall be signed and notarized by the applicant and returned to the County prior to Building Permit issuance. (ESD)
- Prior to Building Permit issuance, the applicant shall obtain from the Department of Public Works (DPW)
  an encroachment permit for the portion of the structure located within the Snow Storage Easement. Said
  permit shall be in recordable form and hold Placer County harmless from any damage resulting to the
  structure.
- 6. Prior to Building Permit issuance, the applicant shall obtain an Encroachment Permit from the Placer County Department of Public Works (DPW) for construction of the residential driveway within the County

right-of-way. The residential driveway shall be constructed to Plates 117 & 118, Land Development Manual (LDM) standards. **(ESD)** 

# **DEVELOPMENT STANDARDS**

- 7. The final site and building designs for the project shall comply with the site plans and building elevations approved on May 27, 2021 and on file in the Community Development/Resource Agency and as modified by the conditions of approval. The single-family residence and residential accessory structures shall comply with the applicable development standards for the Cedar Flat Residential Subdistrict zone district, including but not limited, to height, on-site coverage allowances, setbacks. (PLN)
- 8. No additional living space is permitted within front setback except as approved with this variance. Any windows of the proposed structure(s) within the setback shall be tempered and/or wired safety glass or equivalent. **(ESD)**

# **FIRE PROTECTION**

9. The applicant shall comply with any conditions imposed by CalFire or the serving fire district, North Tahoe Fire Protection District. **(PLN)** 

## **MISCELLANEOUS**

- 10. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorney's fees awarded by a certain development project known as the Palfreyman Subdivision Modification Project PLN 21-00072. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provision of this condition. (CC)
- 11. The existing off-site coverage and parking area off Lily Lane shall be removed and revegetated and shall not be used for parking. (PLN)
- 12. The residential accessory structure/guest house above the garage shall comply with the development standards of Section 21.3.6 *Living Area Associated with Residential Accessory Structures* of the Tahoe Regional Planning Agency (TRPA), including but not limited to that the residential accessory structure shall not contain any of the following: a.) any item listed under "cooking facilities" as defined in Chapter 90: *Definitions* or areas for the insertion of these items; b.) both a bathing facility and a wet bar (either a bathing facility or a wet bar may be permitted); c.) more than one toilet or more than one bathing facility; or d.) living area greater than 50 percent of the living area of the primary residence, or greater than 640 square feet, whichever area is less. **(PLN)**
- 13. The residential accessory structure/guest house shall not be rented out as an individual rental unit or as a secondary residence or additional dwelling unit (ADU). **(PLN)**

# **EXERCISE OF PERMIT**

14. The effective date of approval shall be May 27, 2021, unless the approval is appealed to the Board of Supervisors. The applicant shall have twenty-four (24) months to exercise this Subdivision Modification. Unless exercised, this approval shall expire on May 27, 2023. **(PLN)** 

